

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of a dilute solution of zinc acetate and hydrastis, in glycerin and water, perfumed with oil of rose.

Misbranding of the article was alleged in substance in the libel for the reason that certain statements regarding the curative or therapeutic effects thereof, appearing on the label and carton and contained in the circular as hereinbefore set forth, were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed, and in that the article was insufficient of itself for the successful treatment and cure of the ailments and diseases for which it was prescribed and recommended.

On September 19, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8646. Misbranding of Pabst's Okay Specific. U. S. * * * v. 54 Bottles of Pabst's Okay Specific. Heard by the court and a jury. Verdict for the Government. Judgment of condemnation, forfeiture, and destruction. (F. & D. No. 10132. I. S. No. 16182-r. S. No. E-1346.)

On May 3, 1919, the United States attorney for the Eastern District of South Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 54 bottles of Pabst's Okay Specific, remaining in the original unbroken packages at Columbia, S. C., alleging that the article had been shipped by the Pabst Chemical Co., Chicago, Ill., on or about February 21, 1919, and transported from the State of Illinois into the State of South Carolina, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, on the retail package and bottle and in the wrapper and circular, "Pabst's Okay Specific for Gonorrhea, Gleet, Urethritis and Chronic Mucous Discharges."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of copaiba balsam, oil of peppermint, plant extractives, including a laxative drug, sugar, alcohol, and water.

Misbranding of the article was alleged in substance in the libel for the reason that the statements appearing in and upon the cartons, packages, and bottles, as aforesaid, regarding the curative and therapeutic effects thereof, were false and fraudulent, and were made by the Pabst Chemical Co. knowingly and in wanton disregard of the truth or falsity of the said statements and claims, and with intent to deceive the purchasers of said product.

On June 21, 1920, no claim or appearance having been made and the case having come on for hearing before the court and a jury, after the submission of evidence for the Government, a verdict favorable to the Government was returned, and the court ordered the condemnation and forfeiture of the article and its destruction by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8647. Adulteration and misbranding of rice bran. U. S. * * * v. 170 Sacks of Rice Bran. Heard by the court and a jury. Verdict for the Government. Judgment of condemnation, forfeiture, and destruction. (F. & D. No. 10156. I. S. No. 16229-r. S. No. E-1352.)

On April 13, 1919, the United States attorney for the Eastern District of South Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure

and condemnation of 170 sacks of rice bran, remaining in the original unbroken packages at Charleston, S. C., alleging that the article had been shipped by the Benedict Commission Co., New Orleans, La., on or about December 3, 1918, and transported from the State of Louisiana into the State of South Carolina, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended.

Adulteration of the article was alleged in substance in the libel for the reason that an excessive quantity of rice hulls had been mixed and packed with it so as to reduce and lower and injuriously affect its quality and strength, and had been substituted for the article.

Misbranding was alleged in substance for the reason that it was labeled "Bran" so as to deceive and mislead purchasers thereof, for the further reason that it was an imitation of, and was offered for sale under the distinctive name of another article, to wit, "Rice Bran," and for further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the packages in terms of weight, measure, or numerical count.

On June 21, 1920, no claim or appearance having been made, and the case having come on to be heard before the court and a jury, after the submission of evidence for the Government, a verdict favorable to the Government was returned, and the court ordered the condemnation and forfeiture of the article and its destruction by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8648. Misbranding of Pabst's Okay Specific. U. S. * * * v. 36 Bottles of Pabst's Okay Specific. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10183. I. S. No. 5527-r. S. No. C-1197.)

On May 1, 1919, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 36 bottles of Pabst's Okay Specific, remaining in the original unbroken packages at Duluth, Minn., alleging that the article had been shipped by the Pabst Chemical Co., Chicago, Ill., on or about February 24, 1919, and transported from the State of Illinois into the State of Minnesota, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of copaiba balsam, oil of peppermint, plant extractives, including a laxative drug, sugar, water, and 30.6 per cent by volume of alcohol.

Misbranding of the article was alleged in substance in the libel for the reason that it contained 30.6 per cent of alcohol, and only 24 per cent was declared in the labeling thereof, and for the further reason that certain statements appearing on the label and wrapper, regarding the curative and therapeutic effects thereof, to wit, "Pabst Okay Specific for Gonorrhœa, Gleet, Urethritis and Chronic Mucous Discharges," were false and fraudulent in that said product did not contain any ingredient or combination of ingredients capable of producing the effects claimed.

On July 16, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*